

STAYED,TYPE I-FOIA

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:18-cv-01742-RDM**

GOVERNMENT ACCOUNTABILITY & OVERSIGHT v.  
 UNITED STATES ENVIRONMENTAL PROTECTION  
 AGENCY

Assigned to: Judge Randolph D. Moss  
 Cause: 05:552 Freedom of Information Act

Date Filed: 07/25/2018  
 Jury Demand: None  
 Nature of Suit: 895 Freedom of  
 Information Act  
 Jurisdiction: U.S. Government Defendant

**Plaintiff**

**GOVERNMENT ACCOUNTABILITY  
 & OVERSIGHT**

represented by **Christopher Cochran Horner**  
 GOVERNMENT ACCOUNTABILITY &  
 OVERSIGHT P.C.  
 1489 Kinross Lane  
 Keswick, VA 22947  
 (202) 262-4458  
 Fax: (434) 202-1237  
 Email: [chris@chornerlaw.com](mailto:chris@chornerlaw.com)  
**ATTORNEY TO BE NOTICED**

**Jason T. Miller**  
 GOVERNMENT ACCOUNTABILITY  
 AND OVERSIGHT  
 4008 Ferrara Drive  
 Silver Spring, MD 20906  
 (269) 841-0046  
 Email: [61miller@cua.edu](mailto:61miller@cua.edu)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**UNITED STATES  
 ENVIRONMENTAL PROTECTION  
 AGENCY**

represented by **Marina Utgoff Braswell**  
 U.S. ATTORNEY'S OFFICE FOR THE  
 DISTRICT OF COLUMBIA  
 555 Fourth Street, NW  
 Washington, DC 20530  
 (202) 252-2561  
 Fax: (202) 252-2599  
 Email: [Marina.Braswell@usdoj.gov](mailto:Marina.Braswell@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
07/25/2018	<u>1</u>	COMPLAINT <i>FILED</i> against UNITED STATES ENVIRONMENTAL PROTECTION AGENCY <i>EPA</i> ( Filing fee \$ 400 receipt number 0090-5605211) filed by GOVERNMENT ACCOUNTABILITY & OVERSIGHT P.C.. (Attachments: # <u>1</u> Civil Cover Sheet Civil cover sheet, # <u>2</u> Notice and Consent Consent to Magistrate, # <u>3</u> Summons Request for Summons to EPA, # <u>4</u> Summons Request for Summons to USADC, # <u>5</u> Summons Request for Summons to DOJ)(Horner, Christopher) (Attachment 1 replaced on 7/26/2018) (zsth). (Entered: 07/25/2018)
07/25/2018	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests <i>FILED</i> by GOVERNMENT ACCOUNTABILITY & OVERSIGHT P.C. (Horner, Christopher) (Entered: 07/25/2018)
07/25/2018		Case Assigned to Judge Randolph D. Moss. (zsth) (Entered: 07/26/2018)

07/26/2018	<u>3</u>	NOTICE of Appearance by Jason T. Miller on behalf of All Plaintiffs (Miller, Jason) (Entered: 07/26/2018)
07/26/2018	<u>4</u>	STANDING ORDER: The parties are hereby ORDERED to comply with the directives set forth in the Court's Standing Order. See document for details. Signed by Judge Randolph D. Moss on 7/26/2018. (lcrdm1, ) (Entered: 07/26/2018)
07/26/2018	<u>5</u>	REQUEST FOR SUMMONS TO ISSUE <i>to EPA and ATTORNEY GENERAL</i> filed by GOVERNMENT ACCOUNTABILITY & OVERSIGHT. (Attachments: # <u>1</u> Summons Request for Summons Attorney General)(Horner, Christopher) (Entered: 07/26/2018)
08/01/2018	<u>6</u>	SUMMONS (2) Issued Electronically as to UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, U.S. Attorney General (ztd) (Entered: 08/01/2018)
08/01/2018	<u>7</u>	REQUEST FOR SUMMONS TO ISSUE <i>US ATTORNEY for DC</i> filed by GOVERNMENT ACCOUNTABILITY & OVERSIGHT.(Miller, Jason) (Entered: 08/01/2018)
08/07/2018	<u>8</u>	SUMMONS (1) Issued Electronically as to U.S. Attorney. (znmw) (Entered: 08/07/2018)
08/17/2018	<u>9</u>	ENTERED IN ERROR.....RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY served on 8/13/2018 (Miller, Jason); Modified on 8/27/2018 (tth). (Entered: 08/17/2018)
08/26/2018	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 8/13/2018. Answer due for ALL FEDERAL DEFENDANTS by 9/12/2018. (Attachments: # <u>1</u> Exhibit Postal Tracking Proof of Service)(Miller, Jason) (Entered: 08/26/2018)
08/26/2018	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 08/13/2018. (Attachments: # <u>1</u> Exhibit Postal Tracking Proof of Service)(Miller, Jason) (Entered: 08/26/2018)
08/27/2018		NOTICE OF CORRECTED DOCKET ENTRY: re <u>9</u> Summons Returned Executed as to Federal Defendant was entered in error at the request of Plaintiff's counsel and said pleading will be refiled. (tth) (Entered: 08/27/2018)
08/27/2018	<u>12</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. (Attachments: # <u>1</u> Exhibit Postal Tracking Proof of Service)(Miller, Jason) (Entered: 08/27/2018)
09/12/2018	<u>13</u>	ANSWER to Complaint by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY.(Braswell, Marina) (Entered: 09/12/2018)
09/13/2018	<u>14</u>	NOTICE of Appearance by Marina Utgoff Braswell on behalf of UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (Braswell, Marina) (Entered: 09/13/2018)
09/14/2018		MINUTE ORDER: It is hereby ORDERED that the parties shall appear for a status conference on October 2, 2018, at 10:00 a.m. in Courtroom 21. It is further ORDERED that the parties shall meet and confer prior to the status conference to discuss the status of the agency's search and scheduling for further proceedings. Signed by Judge Randolph D. Moss on 9/14/2018. (lcrdm1, ) (Entered: 09/14/2018)
09/14/2018		Set/Reset Hearings: Status Conference set for 10/2/2018, at 10:00 AM, in Courtroom 21, before Judge Randolph D. Moss. (kt) (Entered: 09/14/2018)
09/14/2018	<u>15</u>	Joint MOTION to Continue <i>Reschedule Status Conference</i> , Consent MOTION for Leave to Appear Telephonically <i>for Plaintiff</i> by GOVERNMENT ACCOUNTABILITY & OVERSIGHT (Attachments: # <u>1</u> Text of Proposed Order Text of Proposed Order to Reschedule and Grant Leave to Appear Telephonically)(Horner, Christopher) Modified event title on 9/18/2018 (znmw). (Entered: 09/14/2018)

09/18/2018		MINUTE ORDER: Upon consideration of the Joint Motion to Reschedule Status Conference <u>15</u> , it is hereby ORDERED that the motion is GRANTED. The status conference currently scheduled for October 2, 2018, at 10:00 a.m. is hereby VACATED and RESCHEDULED for October 11, 2018, at 10:30 a.m., in Courtroom 21. Any party wishing to appear telephonically shall contact the Courtroom Deputy Clerk at (202) 354-3084 to make the necessary arrangements. Signed by Judge Randolph D. Moss on 9/18/2018. (lcrdm1, ) (Entered: 09/18/2018)
09/18/2018		Set/Reset Hearings: The Status Conference set for 10/2/2018 is VACATED and RESCHEDULED for 10/11/2018, at 10:30 AM, in Courtroom 21, before Judge Randolph D. Moss. (kt) (Entered: 09/18/2018)
10/11/2018		Minute Entry for proceedings held before Judge Randolph D. Moss: Status Conference held on 10/11/2018. Joint Status Report due by 12/7/2018. Defendant to provide search declaration request to plaintiff by 11/9/2018. (Court Reporter: Jeff Hook.) (jl) (Entered: 10/11/2018)
12/07/2018	<u>16</u>	Joint STATUS REPORT <i>filed on behalf of both parties</i> by GOVERNMENT ACCOUNTABILITY & OVERSIGHT. (Horner, Christopher) (Entered: 12/07/2018)
12/07/2018		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>16</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before January 17, 2019. Signed by Judge Randolph D. Moss on 12/7/2018. (lcrdm1, ) (Entered: 12/07/2018)
12/07/2018		Set/Reset Deadlines: Joint Status Report due by 1/17/2019. (kt) (Entered: 12/07/2018)
01/17/2019	<u>17</u>	Consent MOTION to Stay ( <i>Defendant's Consent Motion to Stay Proceedings in Light of Lapse of Appropriations</i> ) by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (Attachments: # <u>1</u> Text of Proposed Order)(Braswell, Marina) (Entered: 01/17/2019)
01/17/2019		MINUTE ORDER: Upon consideration of Defendant's motion to stay, Dkt. <u>17</u> , it is hereby ORDERED that the motion is GRANTED. Within 14 days of Congress appropriating funds for the Department of Justice, the parties shall submit a joint status report. Signed by Judge Randolph D. Moss on 1/17/2019. (lcrdm1, ) (Entered: 01/17/2019)